

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN CIVIL LIBERTIES UNION, et al.

Plaintiffs,

v.

ALBERTO R. GONZALES, in his official capacity as
ATTORNEY GENERAL OF THE UNITED STATES

Defendant.

Civil Action No. 98-CV-5591

NOTICE OF DEPOSITION

NOTICE OF DEPOSITION

To: Raphael Gomez
Senior Trial Counsel
U.S. Department of Justice, Room 6144
Civil Division
Federal Programs Branch
20 Massachusetts Ave., N.W.
Washington, D.C., 2053

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of

Civil Procedure, you are requested to designate one or more persons who consent to testify on your behalf and who are knowledgeable as to:

1. The Department of Justice's definition(s) of "obscene" and "harmful to minors" as established in federal criminal statutes 18 U.S.C. § 1460 and 47 U.S.C. § 231, including, but not limited to, information concerning content determined to be obscene or not to be obscene under such laws


and rationale for that conclusion; content determined to be harmful to minors or not to be harmful to minors under such laws and rationale for that conclusion; enforcement of such laws, including territorial enforcement, with regards to obscene and harmful to minors material; number of investigations and/or prosecutions for obscenity or harmful to minors; and criteria that distinguish "obscene" from "harmful to minors," and "harmful to minors" from non-criminal material. In each instance, plaintiffs seek relevant information only for the last five (5) years.

Plaintiffs will take the deposition upon oral examination of the selected deponent(s) at the offices of Latham & Watkins, 555 Eleventh Street, NW, Suite 1000, Washington, DC 20004-1304. The deposition will commence at 12:00 PM on February 3, 2006. The deposition will be taken before a Notary authorized by the Federal Rules of Civil Procedure to take depositions, and will be continued from day to day thereafter, Saturdays, Sundays and holidays excluded, until completed. The deposition will be recorded stenographically and/or by videotape.

Please take further notice that the deponent(s) is/are requested to bring to the deposition and to produce for inspection and copying all documents or tangible things not previously produced concerning each of the foregoing subject matters.

DATED: January 10, 2006

By:


Christopher A. Hansen
Aden J. Fine
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2606
Attorneys for Plaintiffs